

TEXT OF PROPOSED REGULATIONS

TITLE 3. CALIFORNIA CODE OF REGULATIONS DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS CHAPTER 3. PEST CONTROL OPERATIONS SUBCHAPTER 1. LICENSING AND CERTIFICATION ARTICLE 1. GENERAL LICENSING REQUIREMENTS

Amend section 6512 to read:

6512. Approval of Continuing Education Courses.

(a) A continuing education provider intending to sponsor a continuing education course or program shall be responsible for the following, including but not limited to, administering the continuing education course or program, the agenda and course or program content, attendance verification, and administrative record keeping found in section 6513.

(b) Requests for evaluation and approval of a courses or program offering continuing education in pest management and pesticides shall be submitted by the continuing education provider to the Director at least 30 days before presentation of the education. The request for evaluation and approval shall be made on the Continuing Education Approval Request form (PR-PML-131, Rev. 09/03), hereby incorporated by reference, and shall be accompanied by a comprehensive written outline, description of the course or program, and a \$45 fee for each course.

(c) For a course or program previously approved within the calendar year, the continuing education provider shall submit a request to modify the course or program, or add an additional presentation(s) on the Continuing Education Additional Presentation Request form (PR-PML-132, Est. 9/03), hereby incorporated by reference, at least 30 days before the requested presentation(s).

(d) If the Director determines that the course or program outline and description are not comprehensive, the Director may request that a more detailed and comprehensive outline and description be submitted before making the determination as to whether the course or program meets the criteria specified in (e) below.

(e) The Director may approve any course or program submitted for evaluation, which meets the following criteria:

(1) The instruction shall relate only to pest management and pesticides (including but not limited to, laws and regulations, chemical formulations, labeling and label interpretation, application equipment, pests, identification of environmentally sensitive areas, endangered species, drift prevention, pesticide registration, integrated pest management, cultural practices, pesticide worker safety, surface and ground water protection, and biological control methods).

(2) The instructional course or program shall be at least one hour total in length.

(f) The approval of a course or program pursuant to this section shall be valid for the calendar year in which the course or program would be presented.

(g) The Director may withhold approval of continuing education courses if a course provider, instructor, or sponsoring organization makes any material or substantial misrepresentation, including causing to be published, distributed, or displayed any false or misleading literature or advertisement; or refuses or neglects to keep records or report the information contained in the records as specified in section 6513.

NOTE: Authority cited: Sections 11456 and 11502.5, Food and Agricultural Code.
Reference: Sections 11502.5, 11791, 11792, and 12991, Food and Agricultural Code.

Amend section 6513 to read:

6513. Records of Continuing Education

(a) The instructor or sponsoring organization shall maintain a record of licensees and certificate holders who have ~~successfully~~ completed continuing education course(s) for three years from the completion date of the course or program.

(b) Each licensee and certificate holder specified in section 6511 shall maintain a record for three years of all continuing education ~~approval~~ approved pursuant to section 6512 which he/she acquired during each license or certificate period.

(c) The records specified in (a) and (b) ~~shall~~ must include:

- (1) the license or certificate holder's name;
- (2) license or certificate number;
- (3) the title and location of the instruction;
- (4) name of instructor or sponsoring organization, hours credited, ~~and;~~
- (5) the identification code number assigned by the ~~dDirector or regional accreditation committee~~ to the course or program-; and
- (6) date of course completion.

(d) Certificates of course or program completion or written statements containing all the information specified in (c), issued by the instructor or sponsoring organization shall be sufficient to constitute the records specified in (a) and (b).

(e) In addition to the records required to be maintained in (a), the instructor or sponsoring organization shall submit the information required in (c) to the Department within 14 days after the completion of the full course or program for each licensee and certificate holder. The instructor or sponsoring organization is responsible for meeting this data reporting requirement, but may utilize the services of a third party entity in fulfilling this responsibility. The information must be submitted over the Internet using the Department's online Web site <www.cdpr.ca.gov> or via an electronic data file transfer process.

~~(e)(f)~~ (f) The records specified in (a) and (b) shall be submitted to the ~~dDirector~~ upon written request.

Note: Authority cited: Sections 11456 and 11502.5, Food and Agricultural Code.
Reference: Sections 11502.5 ~~and 12980.1(e)~~, Food and Agricultural Code.